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TAGS: [PGOV](#) [PREL](#) [PHUM](#) [KDEM](#) [PINR](#) [AJ](#)
SUBJECT: INDEPENDENT MP SENTENCED ON CHARGES OF BATTERY AND
HOOLIGANISM

REF: BAKU 327

Classified By: CHARGE D'AFFAIRES JASON P. HYLAND PER 1.4(B,D)

¶1. (C) On March 19, independent Member of Parliament (MP) Hussein Abdullayev was sentenced to two months' imprisonment. Abdullayev was arrested after disrupting Parliament's March 19 session, during which he aggressively criticized the Prime Minister's annual report on the GOAJ's performance. When pro-government MP Fazail Aghamaly disagreed with Abdullayev's comments, the two engaged in a physical scuffle - later broadcast repeatedly on national television - which appears to have started when Aghamaly kicked Abdullayev (reftel). (NOTE: Aghamaly is a member of the Motherland party, a nominal "opposition" party that in fact is aggressively pro-government. For example, Aghamaly recently suggested that President Aliyev's term be extended.)

¶2. (SBU) On March 17, in a 79-15 vote, Parliament decided to strip Abdullayev of his parliamentary immunity. Although details remain scant, it appears that Abdullayev may have been arrested on March 17 prior to losing his immunity. The March 19 verdict by the Nasimi district court came as little surprise, following three days of speculation from Baku's chattering classes that Abdullayev would be imprisoned. He was charged with physical battery and "hooliganism," defined in Azerbaijani law as resisting an authority representative who is acting to protect social order. Rumors continue to circulate that the GOAJ will present further charges before Abdullayev's two-month sentence expires.

¶3. (C) The Charge expressed concern to Deputy Speaker Valeh Alasgarov on March 22 that Parliament had moved extremely rapidly to remove an MP's immunity. Alasgarov told the Charge that Abdullayev had been crazy "from day one," and this was the fifth time he had misbehaved in Parliament. He added that the political backing that had protected him "maybe" was no longer there, without offering details. (BIO NOTE: Abdullayev was widely seen as close to powerful Minister of Emergency Situations Kamaladdin Heydarov, who is also, like Abdullayev, an accomplished composer of popular Azerbaijani music.) The Charge also stressed to the Deputy Speaker his concern that Embassy observers were not granted access to the March 16 session, noting that this is commonplace across the world. Alasgarov first suggested that the presence of diplomats made MPs engage in posturing. He finally appeared to concede the point and recommended that we resubmit our access request. (NOTE: Embassy observers are normally granted escorted access to Parliamentary sessions after notifying staff in advance. On March 15, we received notice that we would not be permitted to observe the March 16 session due to "technical difficulties.")

¶4. (C) COMMENT: We remain concerned by the apparent procedural violations during Abdullayev's arrest, and also are troubled by the Parliamentary leadership's decision not to allow Embassy observers access to the March 16 session.

Abdullayev was a controversial figure in Parliament, but his outspoken comments breathed a breath of fresh air into an institution badly in need of reform. We will continue to monitor the situation and report developments.

HYLAND